

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission)	
On Its Own Motion)	
vs)	
Illinois Bell Telephone Company)	Docket 06-0027
)	
Investigation of specified tariffs declaring certain)	
services to be competitive telecommunications services)	

PEOPLE OF THE STATE OF ILLINOIS'
MOTION TO ADMIT STAFF RESPONSES TO ALJ DATA REQUESTS

The People of the State of Illinois, by Lisa Madigan, Attorney General of the State of Illinois, request that the responses to the ALJ's on-the-record data requests, prepared by the Staff of the Illinois Commerce Commission and served on April 19, 2006 and April 28, 2006 be admitted to the evidentiary record. In support of this Motion, the People state as follows:

1. On April 6, 2006, during the cross examination of Staff witness James Zolnierrek, the Administrative Law Judge (ALJ) asked for particular information, and that it be prepared in a map format. The ALJ's requests, and Staff's agreement to seek the information requested, can be found in the transcript for April 6, 2006 at pages 974-980.

2. On or about April 20, 2006, the Staff of the Commerce Commission served responses to the Administrative Law Judge on-the-record data requests, consisting of eleven maps. Those maps are attached as AG-ALJ DR Ex. 1 - Confidential and Public, and consist of the following:

Map 1: Local Access and Transport Areas (LATAs). LATAs are also know as MSAs.

Map 2: Reporting Facilities Based Providers in MSA 1 (Contains Highly Confidential and Proprietary Information)

Map 3: Exchanges Served by an E-911 Identified Provider in MSA 1 (Contains Highly Confidential and Proprietary Information)

Map 4: Chicago Rate Exchange Area City Zones

Map 5: Facilities Based Provider and Line Counts in City Zones Within the Chicago Exchange (Contains Highly Confidential and Proprietary Information)

Map 6: Comcast Customer Counts in City Zones Within the Chicago Exchange (Contains Highly Confidential and Proprietary Information)

Map 7: McLeodUSA Line Counts in City Zones Within the Chicago Exchange (Contains Highly Confidential and Proprietary Information)

Map 8: RCN Line Counts in City Zones Within the Chicago Exchange (Contains Highly Confidential and Proprietary Information)

Map 9: UNE-P Based Provider and Line Counts in City Zones Within the Chicago Exchange (Contains Highly Confidential and Proprietary Information)

Map 10: LWC Based Provider and Line Counts in City Zones Within the Chicago Exchange (Contains Highly Confidential and Proprietary Information)

Map 11: Access Areas in MSA 1

3. From a review of e-docket, it does not appear that Staff sought to admit the maps prepared for this response to the record. It is also unclear from the email whether the ALJ was served with the response.

4. On or about April 19, 2006, the Staff of the Commerce Commission served responses to the Administrative Law Judge data requests, labeled ALJ Response GS 1.01 and GS 1.02, with one attachment. A copy of the response and the attachment are attached as AG-ALJ DR Ex. 2.

5. From a review of e-docket, it does not appear that Staff sought to admit ALJ Response GS 1.01 and GS 1.02 to the record. It is also unclear from the email whether the ALJ was served with the response. The requests, and Staff's agreement to seek the information requested, can be

found in the transcript for April 6, 2006 at pages 860-861, 876-877.

6. On May 12, Staff filed Motion to Admit certain Comcast responses to Staff's Additional Data Requests. These responses are different from the ones described herein. That motion was granted that same day.

7. The information contained in AG-ALJ DR Ex. 1 and AG-ALJ DR Ex. 2 is relevant to the issues raised in this docket and would assist the Commission in making its decision in this docket. Accordingly, AG-ALJ DR Ex. 1 and AG-ALJ DR Ex. 2 should be admitted to the record.

8. AG-ALJ DR Ex. 1 and AG-ALJ DR Ex. 2 were prepared by Staff witnesses at the request of the ALJ in response to questions raised on cross-examination in reference to the testimony of the Staff witnesses. They are reliable evidence for consideration in this docket.

9. These responses have been served on all parties.

10. No party will be prejudiced by the admission of these documents.

WHEREFORE, the People of the State of Illinois request that the documents attached as AG-ALJ DR Exhibits 1 and 2 be admitted to the public or confidential record, as indicated.

Respectfully submitted,
People of the State of Illinois
By Lisa Madigan, Attorney General

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